

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14671 of William T. Page, pursuant to 11 DCMR 3107.2 of the Zoning Regulations, for a variance under Sub-section 2116.2 from the prohibition against locating a parking space in the front yard of a single-family dwelling in the R-2 District at premises 7472 Blair Road, N.W., (Square 3178, Lot 809).

HEARING DATE: September 9, 1987
DECISION DATE: November 4, 1987

FINDINGS OF FACTS:

1. The property is located on the west side of Blair Road between Eastern Avenue and Geranium Street and is known as premises 7472 Blair Road, N.W. It is zoned R-2.

2. The site is basically level and rectangular in shape. The property is 50 feet in width with a depth of approximately 113 feet. It has a lot area of approximately 5,658 square feet.

3. The property is currently improved with a detached one-story brick rambler-styled single family dwelling. The subject dwelling is of the same size and style as the other dwellings in the block. The dwellings were all constructed in 1961.

4. The applicant proposes to construct a curb cut and driveway/parking pad in the front yard of the property. The Zoning Regulations provide that "a required parking space shall not be located in the area between a building line and lot line abutting a street". A variance from the provisions of 11 DCMR 2116.4 is therefore required.

5. The property, as currently developed, provides a rear basement level garage designed to accommodate one automobile. The driveway accessing the garage from the ally could accommodate approximately three additional automobiles.

6. The applicant's request is based on his need for easily accessible parking during snow storms. The applicant testified that, as an essential D.C. Government employee, he is often required to give presentations in different areas of the city regardless of weather. During snow storms, the applicant testified that he is unable to access the rear parking area due to the lack of snow removal in the

public alley behind his home. The applicant further testified that there are several similar driveways in the areas.

7. The applicant presented no evidence or testimony that the subject site is affected by an exceptional or extraordinary situation or condition.

8. The applicant presented no persuasive evidence that he would suffer a practical difficulty if the Zoning Regulations were strictly enforced.

9. The record contains two letters in support of the application from Council Members Crawford and Jarvis. The support was based on the applicant's status as an essential D.C. Government employee of the Vector Control Division of the Department of Public Works and his need to travel related to his duties during all weather conditions.

10. Advisory Neighborhood Commission (ANC) 4B, by letter dated September 2, 1987, offered no opposition to the requested variance. The Advisory Neighborhood Commission did not set forth specific issues and concerns as required by 11 DCMR 3307.

11. By memorandum dated October 8, 1987, in response to the Board's request for review, the Office of Planning recommended that the application be denied. The Office of Planning was of the opinion that the physical condition of the site failed to evidence that the owner of the subject property would suffer a practical difficulty in complying with the Zoning Regulations as it relates to on-site parking. The Board concurs with the recommendation of the Office of Planning.

12. There was opposition to the application in the record and at the public hearing. The opposition was based on the following:

- a. The location of the driveway would create a hazardous condition with respect to ingress and egress directly onto Blair Road which is heavily trafficked by high speed vehicles traveling from Eastern Avenue.
- b. The proposed location of the driveway would conflict with traffic movements from the existing entrances to Brummel Manor apartments to the east across Blair Road.
- c. The location of a driveway/parking pad in front of the dwelling would be unsightly and detract from the property values of adjacent property.

CONCLUSIONS OF LAW AND OPINION:


Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking an area variance, the granting of which requires a showing of an exceptional or extraordinary situation or condition of the property which causes a practical difficulty upon the owner which is inherent in the property itself. The Board concludes that no such situation or condition exists, nor is there a practical difficulty upon the owner. The reasons for the proposed parking location is personal and is not grounds for the granting of an area variance. The lot is basically level and rectangular in shape. The existing improvements conform to all the requirements of the Zoning Regulations. On-site parking is currently provided at the rear of the site. The granting of the requested relief would result in the creation of a nonconforming aspect of the site for which there is no basis.

The Board further concludes that the variance relief can not be granted without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map. Accordingly, it is ORDERED that the application be DENIED.

VOTE: 4-0 (William F. McIntosh, Charles R. Norris,
Paula L. Jewell and Carrie L. Thornhill to
deny).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CORRY
Executive Director

FINAL DATE OF ORDER: MAR 2 1989

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

14671order/BHS2

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 14671

As Acting Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated MAR 2 1989, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Wm. T. Page
7472 Blair Rd., N.W.
D.C. 20012

Archie Reid, Jr.
7400 Blair Rd., N.W.
D.C. 20012

James Moore
7424 Blair Rd., N.W.
D.C. 20012

David Green, Chairperson
Advisory Neighborhood Commission 4-B
7826 Eastern Avenue, N.W., LL16
Washington, D. C. 20012


EDWARD L. CURRY
Executive Director

DATE: MAR 2 1989